

# Congress of the United States

Washington, DC 20515

September 17, 2010

Lieutenant General Robert L. Van Antwerp  
Commanding General  
U.S. Army Corps of Engineers  
441 G. Street, NW  
Washington, DC 20314-1000

Lieutenant General Van Antwerp:

We are contacting you today because we have significant concerns regarding the permitting process for an economic development project in Marcy, NY. Mohawk Valley Economic Development Growth Enterprises (EDGE) has been working with the U.S. Army Corps of Engineers' (ACOE) Buffalo District to obtain a permit for site preparations to attract a semiconductor manufacturer. EDGE has applied for a Section 404 permit application. Throughout the process, the intent has always been for the issuance of a permit that would allow EDGE to not only market the site to a semiconductor manufacturer but also undertake significant site and infrastructure improvements that would position this site for development. EDGE has secured significant state investment and other funds for wetlands mitigation, road and utility improvements, relocation of power lines, and site development. New York State has also made major investments at the SUNYIT campus, including a commitment for the construction of a Center for Advanced Technology, and has included within this facility a semiconductor clean room for commercialization activities resulting from the College of Nanoscale Science and Engineering.

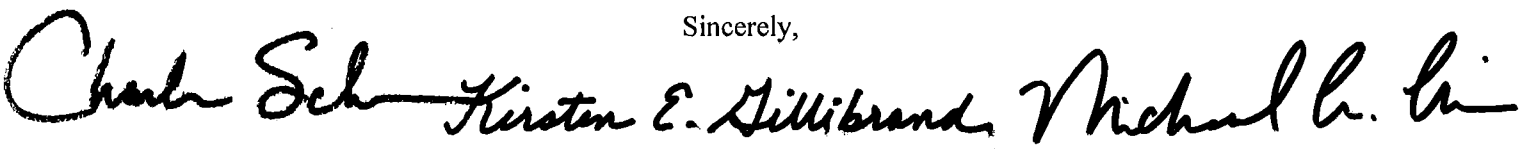
It is our understanding that, in 2007, ACOE established that EDGE's proposed site plan achieves the Least Environmentally Damaging Practicable Alternative ("LEDPA"). On that basis, EDGE has filed an objection to Special Permit Condition #1 with the ACOE, pursuant to the regulations, which details the need to perform site development activities immediately due to the unique character of the semiconductor industry.

EDGE has worked diligently with the ACOE to establish conditions in the draft permit that minimize the wetland disturbance at the site and provide adequate off-site mitigation. In fact, EDGE is prepared to move forward with the approved wetlands mitigation plan but also wants to undertake major infrastructure and other site development activities to enhance the development potential of this critical state and regional economic development asset. Also, EDGE will remain liable for any disturbances beyond the scope of the permit, and for the satisfactory completion of the mitigation plan.

Development of the Marcy site is critical to the long term economic development of the Mohawk Valley region, and it is extremely important that the ACOE takes this into consideration as the permitting process continues. Without further development, it will be very difficult to attract a semiconductor manufacturer. We respectfully request your assistance in removing Special Condition #1 from the permit, and allowing EDGE to commence developing the site in accordance with the mitigation plan.

We appreciate your careful consideration of this matter. Please contact us as soon as possible to discuss this issue further.

Sincerely,



CHARLES E. SCHUMER  
U.S. Senator

KIRSTEN E. GILLIBRAND  
U.S. Senator

MICHAEL A. ARCURI  
Member of Congress

cc: Major General John W. Peabody, Commander and Division Engineer  
Great Lakes and Ohio River Division